

MARK B. FREDKIN, ESQ. [State Bar No. 53550]
WILLIAM SIAMAS, ESQ. [State Bar No. 133111]
MORGAN, FRANICH, FREDKIN & MARSH
99 Almaden Boulevard, Suite 1000
San Jose, California 95113-1613
Telephone: (408) 288-8288
Facsimile: (408) 288-8325

Attorneys for Plaintiffs and Cross-Defendants
ROBERT SCHMIDT and THOMAS WALSH

E-FILED - 12/11/08

UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROBERT SCHMIDT and THOMAS
WALSH,

Plaintiffs,

vs.

LEVI STRAUSS & CO., LAURA LING,
and DOES 1-50, inclusive,

Defendants.

NO. C-04-01026 (RMW)

**STIPULATION OF DISMISSAL
WITH PREJUDICE OF THE
COMPLAINT AND CROSS-ACTION
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(ii)
AND ORDER**

AND RELATED CROSS-ACTION

WHEREAS, a Settlement Agreement was reached on the record between Plaintiffs and Cross-Defendants ROBERT SCHMIDT and THOMAS WALSH and Defendant and Cross-Complainant, LEVI STRAUSS & CO., and

WHEREAS, the parties wish to dismiss their respective actions in light of the settlement which was reached before Honorable Magistrate, Howard R. Lloyd,

NOW, THEREFORE, THE PARTIES HEREBY STIPULATE that given the


Stipulation of Dismissal With Prejudice of the Complaint and Cross-Action Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii)
Case No. C-04-01026 (RMW)

1 settlement, that the complaint and cross action should be dismissed with prejudice.

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3 **IT IS SO STIPULATED.**

4 Dated: November 5, 2008.

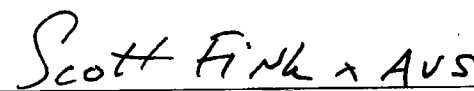
MORGAN, FRANICH, FREDKIN & MARSH

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6 By: 
7 MARK B. FREDKIN, ESQ.
8 WILLIAM SIAMAS, ESQ.
9 Attorneys for Plaintiffs and Cross-Defendants
10 ROBERT SCHMIDT and THOMAS WALSH

11 **IT IS SO STIPULATED.**

12 Dated: November 30, 2008.

GIBSON, DUNN & CRUTCHER LLP

13
14 By: 
15 SCOTT A. FINK
16 AUSTIN V. SCHWING
17 Attorneys for Defendant and Cross-Complainant
18 LEVI STRAUSS & CO.

19
20
21 **ORDER**

22
23 **IT IS SO ORDERED.**

24
25 DATED: 12/11/08

26 
27 HON. RONALD M. WHYTE
28 UNITED STATES DISTRICT COURT JUDGE